

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS AND LABOR**

**Call to Order:** By **CHAIRMAN JIM KEANE**, on February 8, 2005 at 8:00 A.M., in Room 172 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Jim Keane, Chairman (D)  
Rep. Kathleen Galvin-Halcro, Vice Chairman (D)  
Rep. Joe McKenney, Vice Chairman (R)  
Rep. Elsie Arntzen (R)  
Rep. Bob Bergren (D)  
Rep. Tim Dowell (D)  
Rep. Kevin T. Furey (D)  
Rep. Dave Gallik (D)  
Rep. Ralph Heinert (R)  
Rep. Llew Jones (R)  
Rep. Mike Jopek (D)  
Rep. Harry Klock (R)  
Rep. Scott Mendenhall (R)  
Rep. Mike Milburn (R)  
Rep. Don Roberts (R)  
Rep. Wayne Stahl (R)  
Rep. Dan Villa (D)

##### **Members Excused:**

Rep. Jonathan Windy Boy (D)

##### **Members Absent:** None.

**Staff Present:** Bart Campbell, Legislative Branch  
Kyanne Kelly, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 532, 2/2/2005; HB 483, 2/2/2005;  
HB 481, 2/2/2005; HB 493, 2/2/2005  
Executive Action: HB 140, HB 331, HB 419

**HEARING ON HB 532**

**Opening Statement by Sponsor:**

REP. DAVE GALLIK (D), HD 79, opened the hearing on HB 532,  
Pharmaceutical advertising act.  
00:03:25

**Proponents' Testimony:**

00:07:53 Claudia Clifford, AARP  
[EXHIBIT\(buh31a01\)](#)

**Opponents' Testimony:**

00:14:32 Russ Spencer, Pfizer Drug Company  
[EXHIBIT\(buh31a02\)](#)  
00:30:47 Barbara Ranf, Montana Chamber of Commerce

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:32:06

**Closing by Sponsor:**

00:46:02

**HEARING ON HB 483**

**Opening Statement by Sponsor:**

REP. BOB BERGREN (D), HD 33, opened the hearing on HB 483,  
Binding arbitration for police officers.  
00:52:15

**Proponents' Testimony:**

00:59:17 Jerry Williams, Police Protective Association  
01:02:55 Levi Talkington, Lewistown Police Department  
01:05:26 David Cardillio, Billings Police Officer  
01:07:44 Pat Clinch, Montana State Council of Professional  
Firefighters  
01:08:55 Tom Schneider, Public Employees Association  
01:11:08 Jim Whitaker, Great Falls  
01:11:36 Don Kingman, State, County and Municipal Employees

**Opponents' Testimony:**

01:13:06 Harry Payne, City of Helena Human Resource  
Department  
01:15:50 Janie McCall, City of Billings  
01:16:50 Steve Golnar, City of Livingston  
01:17:56 Alec Hansen, League of Cities and Towns

**Informational Testimony:**

01:21:47 John Andrew, Department of Labor and Industry

**Questions from Committee Members and Responses:**

01:22:19

**Closing by Sponsor:**

01:35:26

**HEARING ON HB 481**

**Opening Statement by Sponsor:**

REP. MONICA LINDEEN (D), HD 43, opened the hearing on HB 481,  
Create main street program.

01:51:04

**Proponents' Testimony:**

01:56:09 Andy Poole, Department of Commerce  
[EXHIBIT \(buh31a03\)](#)  
01:58:22 Chere Jiusto, Montana Preservation Alliance  
[EXHIBIT \(buh31a04\)](#)  
02:05:07 Sarah Hansen, National Trust for Historic  
Preservation  
02:10:11 Alec Hansen, Montana League of Cities and Towns  
02:13:38 Tom Kaiserski, Governor's Office of Economic  
Development  
02:15:13 Steve Golnar, City of Livingston  
[EXHIBIT \(buh31a05\)](#)  
02:16:23 Janie McCall, City of Billings  
02:17:10 Mike McGinly, Beaverhead County  
02:18:12 Hal Fossum, Downtown Helena  
02:22:23 Stephanie Ambrose Tubbs, Helena  
02:23:39 James Patrick, Kalispell  
02:24:41 Cindi Fargo, Livingston  
02:26:19 Gary Amestoy, Richland County Economic Development  
Corporation  
02:26:53 Duane Ferdinand, Livingston  
02:27:27 Mark Baumler, Montana Historical Society  
[EXHIBIT \(buh31a06\)](#)  
02:27:54 Marsha Youngman, Bozeman City Commission  
02:28:11 Randy Gray, Mayor Great Falls

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:28:40

**Closing by Sponsor:**

02:30:06

**HEARING ON HB 493**

**Opening Statement by Sponsor:**

REP. ART NOONAN (D), HD 73, opened the hearing on **HB 493**, Revise aerospace technology bond program.

02:32:35

**Proponents' Testimony:**

02:35:27 Andy Poole, Department of Commerce

02:36:10 Will Swearingen, Montana State University

02:40:33 Ralph Hutchenson, Scientific Materials Corporation

**EXHIBIT (buh31a07)**

02:48:46 Don Peoples, MSE, Inc

02:53:44 Randy Gray, Mayor of Great Falls

02:57:09 Jim Kambich, Montana Aerospace Development  
Association

02:58:50 Bill Johnston, Montana University System

02:59:15 Tom Kaiserski, Governor's Office of Economic  
Opportunity

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

03:01:12

**Closing by Sponsor:**

03:14:36

EXECUTIVE ACTION ON HB 140

Motion: REP. GALVIN-HALCRO moved that HB 140 DO PASS.

Discussion:

03:30:18

Motion: REP. GALVIN-HALCRO moved that HB 140 BE AMENDED.

Discussion:

03:31:14

[EXHIBIT](#)(buh31a08)

Vote: Motion carried unanimously by voice vote. REP WINDY BOY voted by proxy.

Motion/Vote: REP. GALVIN-HALCRO moved that HB 140 DO PASS AS AMENDED. Motion carried unanimously by voice vote. REP WINDY BOY voted by proxy.

EXECUTIVE ACTION ON HB 331

Motion: REP. GALVIN-HALCRO moved that HB 331 DO PASS.

Motion: REP. GALVIN-HALCRO moved that HB 331 BE AMENDED.

Discussion:

03:34:02

[EXHIBIT](#)(buh31a09)

Motion: REP. GALLIK moved to segregate 1,2,3,4 from 5, 6,7, 8

Vote: Motion carried unanimously by voice vote.

Motion/Vote: REP. GALLIK moved that HB 1, 2, 3, 4, DO PASS. Motion carried unanimously by voice vote. REP WINDY BOY voted by proxy.

03:37:38

Motion/Vote: REP. GALVIN-HALCRO moved that 5,6,7,8 DO PASS. Motion carried 15-3 by voice vote with REPS. DOWELL, GALLIK, and VILLA voting no. REP WINDY BOY voted by proxy.

Motion: REP. GALVIN-HALCRO moved that HB 331 DO PASS AS AMENDED.

Discussion:

03:41:30

Vote: Motion carried unanimously by voice vote. REP WINDY BOY voted by proxy.

EXECUTIVE ACTION ON HB 419

Motion: REP. GALLIK moved that HB 419 DO PASS.

Discussion:

03:43:11

Motion: REP. GALLIK moved that HB 419 BE AMENDED.

Discussion:

03:43:38

[EXHIBIT](#) (buh31a10)

REP. MCKENNEY asked to segregate the amendment

Motion/Vote: REP. MCKENNEY moved that 1,2,3 DO PASS. Motion carried 15-3 by voice vote with REPS. DOWELL, GALLIK, and VILLA voting no. REP WINDY BOY voted by proxy.

Motion: REP. GALLIK moved that Part 4 DO PASS.

Vote: Motion failed 8-10 by voice vote with REPS. BERGREN, DOWELL, FUREY, GALLIK, GALVIN-HALCRO, JOPEK, VILLA, and WINDY BOY voting aye. REP WINDY BOY voted by proxy.

Motion: REP. GALLIK moved that HB 419 DO PASS AS AMENDED.

Discussion:

03:52:12

Motion: REP. GALLIK moved that HB 419 BE AMENDED.

Discussion:

03:52:53

Vote: Motion failed 8-10 by voice vote with REPS. BERGREN, DOWELL, FUREY, GALLIK, GALVIN-HALCRO, JOPEK, VILLA, and WINDY BOY voting aye. REP WINDY BOY voted by proxy.

Motion/Vote: REP. GALLIK moved that HB 419 BE AMENDED. Motion failed 9-9 by voice vote with REPS. BERGREN, DOWELL, FUREY, GALLIK, GALVIN-HALCRO, JOPEK, KEANE, VILLA, and WINDY BOY voting aye.

Motion: REP. GALLIK moved that HB 419 DO PASS AS AMENDED.

04:01:59

Vote: Motion failed 9-9 by roll call vote with REPS. BERGREN, DOWELL, FUREY, GALLIK, GALVIN-HALCRO, JOPEK, KEANE, VILLA, and WINDY BOY voting aye. REP WINDY BOY voted by proxy.

**ADJOURNMENT**

Adjournment: 12:10 A.M.

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REP. JIM KEANE, Chairman

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KYANNE KELLY, Secretary

JK/kk

Additional Exhibits:

**EXHIBIT ([buh31aad0.TIF](#))**